



University of Hawai'i at Mānoa

Environmental Center
A Unit of Water Resources Research Center
Crawford 317 • 2550 Campus Road • Honolulu, Hawai'i 96822
Telephone: (808) 956-7361 • Facsimile: (808) 956-3980

RL:01385

HB 3531 H.D. 1 RELATING TO HEALTH

House Committee on Energy and Environmental Protection

Public Hearing - February 18, 1998
8:30A.M., Room 312 State Capitol

By

John T. Harrison, Environmental Center
Paul Berkowitz, Environmental Center
Jacquelin Miller, Environmental Center
Peter Rappa, Environmental Center

HB 3531 H.D. 1 would amend Chapter 343, HRS to abolish the position of the Director of Environmental Quality Control and transfer the functions of the Office of Environmental Quality Control (OEQC) to the Department of Health.

Our statement on this measure is compiled from voluntarily submitted opinions of the listed academic reviewers and does not constitute an institutional position of the University of Hawaii.

OEQC is responsible for several important functions:

1. It is advisory to the Governor on environmental matters affecting the State.
2. It reviews agencies' compliance with environmental policy.
3. It manages the State's Environmental Impact Statement (EIS) process.
4. It provides staff support to the Environmental Council.

Unless the Legislature intends to do away with the State Environmental Policy Act and the State EIS system, abolishment of the OEQC will leave a substantially diminished staff to accomplish these required functions. Hence, the cost savings achieved by the proposed measure will be limited to the salary of the Director, and one could argue convincingly that those savings would be lost in short order with a predictable series of delays likely to result from the process of absorbing OEQC's functions into DOH. In addition, there are a number of dangers in abolishing the OEQC:

1. It will signal to the public that the administration no longer considers the environment an abiding priority, because the Governor will no longer have a designated environmental quality advisor.
2. Agencies may feel less inclined to comply with State environmental policy, because there is no dedicated oversight, no annual Environmental Report Card to monitor their progress in achieving the State's environmental goals.
3. Continued fiscal pressures will place the timely handling of the EIS process in jeopardy, because strict timelines required for EIS system implementation will likely fall prey to competing demands placed on the shoulders of a diminished staff.

During consideration of the proposal to move regulatory functions from the Department of Health to the Department of Business, Economic Development and Tourism (HB 3412), we noted that inefficiencies in environmental management largely derive from the scattering of environmental management functions among agencies. The solution is to bring these functions under one administrative umbrella, as was proposed several years ago by the Department of Environmental Management Task Force. We continue to advocate such a restructuring, even while acknowledging that present economic constraints preclude taking such a step immediately.

However, looking forward to an ultimate consolidation of environmental regulatory functions under one roof, there are compelling reasons to take steps in that direction, building a solid foundation for the future Department of Environmental Management. Instead of folding OEQC into the Department of Health, a move of dubious wisdom from many standpoints and cost savings in particular, far greater efficiencies could be realized by consolidating one or more divisions in other agencies under the administrative umbrella of OEQC.

For many years, we have placed emphasis on the need for long term planning. Substantive change only occurs over time frames of years or decades. Effective planning identifies an end objective, and then works backward to formulate the small steps necessary to arrive at that destination. We view the present economic crisis as an opportunity to embark on a new course. Instead of uprooting an innovative, efficient agency, one with a compellingly impressive track record of achievement in spite of fiscal constraints, why not view OEQC as the impetus for a new focus on the future of the State's environmental management restructuring?